

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 1:20 CR 258
)	
Plaintiff)	JUDGE SOLOMON OLIVER, JR.
)	
v.)	ORDER ACCEPTING PLEA
)	AGREEMENT, JUDGMENT AND
ERIC MENELEE,)	REFERRAL TO U.S. PROBATION
)	<u>OFFICE</u>
Defendant)	

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge Thomas M. Parker, regarding the change of plea hearing of Eric Menefee, which was referred to the Magistrate Judge with the consent of the parties.

On May 20, 2020 the government filed a 39 count, multi-defendant Indictment, charging Eric Menefee in counts 1, 9, 10, 11, 12, 35 and 39 with Conspiracy to Distribute and Possess with Intent to Distribute Controlled Substances, in violation of Title 21 U.S.C. § 846, Possession with Intent to Distribute Controlled Substances, in violation of Title 21 U.S.C. § 841(a)(1) and (b)(1)(B), Possession with Intent to Distribute Cocaine and Distribution of Heroin, in violation of Title 21 U.S.C. § 841(a)(1) and (b)(1)(C), Felon in Possession of Firearm and Ammunition, in violation of 18 U.S.C. § 922(g)(1) and 924(a)(2), and Use of a Communications Facility to Facilitate a Felon Drug Offense, in violation of Title 21 U.S.C. § 843(b).

On June 1, 2020 Magistrate Judge Baughman held an arraignment, during which Mr. Menefee entered a plea of not guilty to the charges. On July 25, 2022 Magistrate Judge Parker received Defendant Menefee's plea of guilty to counts 1, 9, 10, 11 and 12 of the Indictment, with a

written plea agreement, and issued a Report and Recommendation (“R&R”), concerning whether the plea should be accepted and a finding of guilty entered.

Neither party submitted objections to the Magistrate Judge’s R&R in the fourteen days after it was issued.

On de novo review of the record, the Magistrate Judge’s R&R is adopted. Defendant Menefee is found to be competent to enter a plea and to understand his constitutional rights. He is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis for the plea. The court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, Defendant Eric Menefee is adjudged guilty to counts 1, 9, 10, 11, and 12 of the Indictment, in violation of Title 21 U.S.C. § 846, 841(a)(1), (b)(1)(B), and (b)(1)(C), and 18 U.S.C. § 922(g)(1) and 924(a)(2). This matter was referred to the U.S. Probation Department for the completion of a pre-sentence investigation and report. Sentencing will be held on November 15, 2022 at 2:00 p.m. in Courtroom 19A, Carl B. Stokes United States Court House, 801 West Superior Avenue, Cleveland, Ohio.

IT IS SO ORDERED.

/s/SOLOMON OLIVER, JR.
UNITED STATES DISTRICT JUDGE

September 22, 2022